

PRESS RELEASE

September 14, 2006

RE: UNITED STATES v. ANN CAIN and DAVID CAIN, SR.

United States Attorney Terrance P. Flynn announced today that following a four day trial in front of Chief United States District Judge Richard J. Arcara, Ann Cain, 52 of 2087 Lonnon Road, Barker, New York, was convicted of one count of witness tampering in violation of Section 1512(b)(3) of Title 18 of the United States Code. Mrs. Cain was acquitted of a second witness tampering count and her husband, David Cain, Sr., 57, of the same address was acquitted of a separate witness tampering count.

Assistant United States Attorney Anthony M. Bruce stated that the evidence underlying the witness tampering charge for which Ann Cain was convicted showed that in late February of 2005, Mrs. Cain instructed one Sean Cooper to lie about criminal activities which Cooper had committed at the direction of her son, David Cain, Jr. to a Niagara County Sheriff's Department Investigator and a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives during an interview that Cooper was headed to when he spoke with Mrs. Cain.

Judge Arcara continued Ann Cain on bail previously set and set

sentencing for January 22, 2007. Mrs. Cain faces up to ten (10) years in federal prison and a fine of up to \$250,000, and a probable sentence of 15-21 months under the Federal Sentencing Guidelines.

The case was tried by Mr. Bruce; the investigation that resulted in the filing of charges against Ann and David Cain, Sr., was conducted by a task force consisting of agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives, under the direction of Resident Agent in Charge David DeJoe; the Niagara County Sheriff's Department under the direction of Sheriff Thomas Beilein; the Orleans County Sheriffs Department, under the direction of Sheriff Scott D. Hess; and the Federal Bureau of Investigation, under the direction of Special Agent in Charge Laurie J. Bennett. Assistance to the investigation was also provided by the Niagara and Orleans County District Attorney's Offices, under District Attorneys Matthew J. Murphy III and Joseph V. Cardone, respectively.